



-Memo-

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JUN 1 1992  
WATER RIGHTS

To: Division of Water Rights

ATTN: Bob Fatheringham

From: Hugh Scott Larsen

Subject: Irrigation and Stock Watering Rights

I am writing this letter to you in hopes that you will be able to help me resolve some issues around the stock watering and irrigation rights I have on a piece of ground in Brigham City. In the fall of 1984 I purchased a piece of property adjoining a piece then owned by Ray Day. Shortly after that, Ray sold the piece of property to David Wells and Lloyd McNeely. These property owners and I had no difficulty in deciding turns or amounts of water to be used by each person.

David Wells eventually sold his piece of property to Robert Craghead. For the last three years Bob has developed a "holding pond", last year enlarging it and holding the irrigation water. The only water I've had from this has been the overflow from the pond. I've not taken any of this water because Bob Craghead and I have had numerous difficulties in the past. None of the neighboring property owners can get along with him either. This year, however, I feel that I really need more of my rightful water turn other than just the overflow Mr. Craghead feels I should have.

So on Monday, May 4, 1992, I saw Bob on the dirt lane going to the property. I stopped him and tried to explain that I

needed some of the water (which is now completely dammed off) to flow through my place for stock watering. He responded by telling me that he didn't have to let any through; that he could stop it all off and hurriedly left in his truck.

Then on Wednesday, May 6, 1992, I saw him walking in his field, checking his water. I was across the fence spraying weeds, so I went over to talk to him. I explained that when it was my water turn I intended to let the water out of his pond so I could water. He told me I couldn't do that, that I had no right of way through his place, and that I should stay off his property. At this point I began to leave and he came at me with a shovel, threatening me with it. Telling me again to get off his property and not come back, he said he would get his attorney to send me a letter explaining that I had no rights to this water. In anger and concern for my safety, I told him neither of us would leave if he tried to beat me with the shovel.

On Thursday I spoke with both Dave Wells and Lloyd McNeely.

Dave told me after I explained the situation that I should not have any problems because according to what's recorded in Logan, there should be no problems. When I spoke to Lloyd he indicated I was correct in what I was doing; saying we should all agree on set water turns so no one thinks they can do what they want. We agreed that since the water rights are split one-fourth, one-fourth, one-half, that both Lloyd and Bob should have the water for one week each. Lloyd would have the first week of the month, Bob the second, and I would have the last

two weeks of the month. Lloyd said he would tell Bob this since Bob refuses to look at me, talk to me, or in any way communicate with me.

On the evening of Friday, May 8, 1992, I spoke with Clark Hillam. He assured me my actions were correct and suggested that I call John Jensen of the Water Resources in Logan. This I did, and Mr. Jensen also told me I was correct in my actions. He requested that I write this letter giving him some background information about the situation so he could appropriately act on the issue.

Your immediate response to this situation would greatly be appreciated, especially in the kind of water year we find ourselves in.

Thank you for your support.

Sincerely,

*Hugh Scott Larsen*

Hugh Scott Larsen

Claim #s 1479, 1480, 3158  
Met with Mr. Larsen & McNeely on 05/19/92  
There is a question of point of re-diversion  
on Craghead water Right. We discussed distribution  
& draining of pond for Mr. Larsons use. Mr. Larsen  
will send another letter requesting that we work  
with the drain users in preparing a distribution schedule.  
He will also send letter Mr. Dorius sent in behalf  
of <sup>Mr.</sup> Craghead for our review.

*Rm Filly*